

**CASE MANAGEMENT/ELECTRONIC CASE FILING (CM/ECF)
FREQUENTLY ASKED QUESTIONS (FAQs)**

1. Filing Procedures	p.	2
2. Payment of Fees	p.	3
3. Correcting Mis-Filed Pleadings	p.	4
4. Hardware, Software, and Web Browser.....	p.	5
5. General Information	p.	6
6. System Capabilities - Filing.....	p.	11
7. Portable Document Format (PDF) and Adobe Acrobat	p.	13

Updated information in red font.

FILING PROCEEDURES

1. Do proposed orders have to be filed on the docket AND uploaded into your E-Orders program?

ANSWER: Yes. The proposed order must be filed as an attachment to the motion **AND** it must be uploaded into the Court's Electronic Order Processing application (E-Orders). The "Orders" section of the *Attorney User's Guide* was updated on September 13, 2004 with these new procedures.

2. Can I file my motion, objection notice, hearing notice, and order as one pleading?

ANSWER: No. Please make separate entries for each pleading, so that they appear separately on the docket sheet. However, the PDF file that you attach to each of the pleadings may include all of the pleadings in it. This means that you would upload the same PDF file to each of the individual pleadings. OR you may create a separate PDF file for each pleading and upload each PDF file to the corresponding pleading. (June 2004)

3. Does it matter in what order I file a motion, notice, and proposed order?

ANSWER: Yes. The motion must be filed first. After the motion is filed, file the notice of opportunity to object, and the hearing notice. Finally upload the order. The notices and proposed order **MUST** be linked to the motion. In order to "link" pleadings, when prompted you must either check the box to reference another pleading and then place a check mark in the box to the left of the appropriate pleading(s) that are displayed. (July 2004)

4. I cannot find the pleading I need to file in any of your ECF Categories?

ANSWER: First, click on the "Search" option at the top of the screen. Type in the name of the pleading you wish to file (e.g. Sanctions; Relief from Stay). This search results will show you where the corresponding event for your pleading is located. If the event is not listed, call the CM/ECF Help Desk at 202-354-3281 **BEFORE YOU FILE**.

PAYMENT OF FEES

1. How are fees paid?

ANSWER: E-filed documents requiring a fee will be paid via an Internet credit card payment. **We no longer need or require an attorney credit card registration form.**

At the end of filing a pleading requiring a fee, when the Notice of Electronic Filing appears, the e-filers is presented with the Internet credit card payment screen. Upon the successful processing of the credit card payment, the filer receives a receipt, and a receipt is docketed to the case record.

If for any reason an e-filer is unable to use the credit card to pay a fee, the e-filer MUST CALL THE COURT'S CM/ECF HELP DESK BEFORE FILING THE PLEADING.

E-filers who do not pay outstanding credit card balances within 48 hours of the time of filing will be locked out of CM/ECF until the balance has been paid.

Paper documents filed over the counter will still be paid via cash, check, or money order.

2. I filed a pleading that required a fee, but the payment screen never appeared. What should I do?

ANSWER: You need to do a couple things:

1. Click on the Utilities menu and then click on Internet Payments Due. From this screen you can proceed to pay the outstanding fee balance.
2. Check your computer's security settings and make sure you do not have "pop-up window blockers" preventing you from viewing the payment screen pop-up window.

3. Can I still pay fees via check or cash when e-filing?

ANSWER: E-filers are required to pay fees on-line using the internet credit card feature. If, for any reason, you are unable to use the internet credit card, **YOU MUST CALL THE CM/ECF HELP DESK BEFORE FILING THE PLEADING.**

CORRECTIONS

1. What happens if a document is filed in error?

ANSWER: Filings in CM/ECF occur in real time. Therefore, errors immediately appear on the docket and are distributed through the Notice of Electronic Filing (NEF) e-mail to other participating e-filers. Deletions of entries on the docket or associated PDF documents are extremely rare.

If the e-filer does not catch the error first, the Clerk's Office will issue an Electronic Deficiency Notice (EDN) that tells the e-filer that an error has occurred and what needs to be done to correct it. E-filers are required to respond to all EDNs within 72 hours of the time the EDN is filed. **Similar to all other pleadings filed in a case, EDNs have a NEF that is sent to ALL case participants. Therefore, if you receive a NEF that an EDN has been issued, please review the EDN to verify whether you or another case participant needs to correct a pleading.**

CM/ECF allows court personnel to edit errors made in the docket entry. In the course editing and correcting entries, court staff may ask e-filers to file amended pleadings. Instances that affect calendar entries and noticing may need to be re-filed.

Depending on the situation, e-filers will be asked to file a "Request to Withdraw Document" to remove the pleading from the record. E-filers may also be asked to submit and Amended Motion/Application to correct a problem. In many instances, the U. S. Bankruptcy Court for the District of Columbia will request the e-filer to file an additional, "corrective" pleading rather than edit the original docket entry. This allows the distribution of the correct information to the participants who originally received the erroneous information.

2. I filed the wrong pleading, how do I correct it?

ANSWER: File a Request to Withdraw Document. This event is found under the Bankruptcy --> **Miscellaneous** menu option. If the pleading that was incorrectly filed created a deadline (hearing objection, etc) please be sure to terminate the appropriate deadline if prompted, otherwise the Clerk's Office will terminate the deadline. If a pleading was accidentally or unintentionally filed, the Request to Withdraw Document must be filed to remove it. **DO NOT** file a Motion to Dismiss/Strike/Withdraw Document to remove the pleading; this motion requires a court order to authorize the dismissal, striking, or withdrawing of the unintended pleading.

3. How long do I have to correct an error or mis-filed pleading?

ANSWER: After receiving an EDN or notice from the Court of an error or mis-filed pleading, all e-filers have 72 hours in which to correct the error.

HARDWARE/SOFTWARE REQUIREMENTS

1. What hardware and software will attorneys need to participate in ECF?

ANSWER: Attorneys will need the following hardware and software to electronically file, view, and retrieve documents in the electronic filing system:

- A personal computer running a standard platform such as Windows, Windows 95, Windows 98, Windows 2000, Windows XP, Vista or Macintosh.
- An Internet provider using Point to Point Protocol (PPP)
- Netscape Navigator version 4.6 or 4.7 or Internet Explorer Version 5.5 or better. Your browser must be JavaScript-enabled.
- Adobe Acrobat PDF Writer software to convert documents from a word processor format to portable document format (PDF). Acrobat Writer Versions 3.X, 4.X, 5.0, and 6.0 adequately meet the CM/ECF filing requirements. For viewing documents, not authoring them, Adobe Acrobat Reader only is needed.
- A PDF compatible word processor like Macintosh or Windows based versions of WordPerfect and Word.
- A scanner to transmit documents that are not in your word processing system.

2. Is ECF browser specific?

ANSWER: Bankruptcy Version 2 is compatible with both Netscape versions 4.6 or 4.7 and Internet Explorer version 5.5 or better. However, as of 2006 Internet Explorer is the only browser compatible with the ECF credit card module. This may change in the future.

3. Is ECF word processor specific?

ANSWER: No, you may use any word processor that can convert documents to PDF.

GENERAL INFORMATION

1. How many users can submit documents at once?

ANSWER: There is no fixed limit. Response time and expanded use will ultimately tell us what the acceptable limit might be. Enhancements to communications capacity are expected to be an ongoing task to ensure that we meet the needs of the users.

2. How many people at a time may view a document? How many people at a time may view the docket?

ANSWER: There are no limitations for either function.

3. Will the creator of the docket entry be identified?

ANSWER: Yes. All entries can be identified by the name of the person that logged in and submitted the entry.

4. Is there a limit to the number of aliases a party may have?

ANSWER: No.

5. How will the signature on documents be handled for documents filed electronically?

ANSWER: The user's unique system login and password serve as their signature. Attorneys and trustees will be required to retain copies of certain paper documents, such as affidavits or bankruptcy petitions, containing original signatures of parties for a set period of time. Documents filed in CM/ECF can contain either an image of a signed document or an "/s/" preceding the person's typed name on the line where the signature traditionally appeared.

6. What technical expertise is required in order to use the CM/ECF system?

ANSWER: CM/ECF is easy to learn and requires little technical experience to use. The basic technical skills needed are familiarity with using Windows and a web browser.

7. Can e-filers add new attorneys to the database?

ANSWER: Only court staff with appropriate permissions may add attorneys to the database as system users. However, it is possible for an attorney to add another attorney to a case, and to the database, during case opening. The new attorney would **NOT** have filing privileges. In order to obtain those privileges, the attorney must make the proper application to the court and, if approved, a member of the court staff with appropriate permissions could assign a login and password.

8. What should an e-filer do if the document he or she is filing is not listed in the pick list?

ANSWER: First, use the Search feature in the ECF menu option. Search for the event you need. If the event is not listed, call the CM/ECF Help Desk at 202-354-3281 **BEFORE YOU FILE.**

9. Will e-filers be able to access the CM/ECF system after the court's regular business hours to file cases and review documents/docket sheets?

ANSWER: Except when otherwise noted on the system's main web page, the system is available 24 hours a day, 7 days a week. The court's CM/ECF Help Desk will be staffed from 9:00 AM to **5:00 PM** Monday – Friday with a court member to answer questions.

10. Can any member of the public use CM/ECF to file documents with the Court?

ANSWER: No. The U. S. Bankruptcy Court will be allowing admitted attorneys, trustees, and some creditors/creditor attorneys to register for e-filing logins and passwords.

11. Can the general public view CM/ECF cases and the documents in those cases?

ANSWER: Access to view cases and documents in CM/ECF is available to anyone with a Public Access to Court Electronic Records (PACER) login and password. PACER offers convenient electronic access to case file documents, listing of all case parties, reports of case related information, chronologies of events entered in the case record, claim registries, listing of new cases, judgments or case status, and a calendar of events. However, as a result of the policy recently adopted by the Judicial Conference, the public cannot view documents filed in civil Social Security Appeal cases or criminal cases.

To defray the costs of PACER and CM/ECF, the Judicial Conference has set a fee of seven cents per page for electronic court data via the internet, except for calendar information, for which there is no charge. The fee applies to all users, although courts may exempt certain persons, such as indigents or bankruptcy case trustees. Parties entitled to documents as part of the legal process receive a free electronic copy, although they will be charged for replacement copies, whether in paper or electronic form.

12. Will someone submitting a long document monopolize the system to the detriment of other users? How long will it take to transmit/receive lengthy documents?

ANSWER: A user submitting a large document to CM/ECF will not interfere with other users' access. The system uses web technology that is designed to service large numbers of users simultaneously.

The time it takes to transmit or receive a document primarily depends on the user's Internet Service Provider (ISP), modem speed, and the size of PDF file being transmitted or received. Generally, the larger the file, the longer it will take to load. **Our court currently restricts the size of PDF documents to be uploaded to 1.5 mega bytes (MB) (roughly 25 pages of text).**

The CM/ECF system will accept both text **(for uploading a creditor matrix file only)** and image PDF files. The PDF file is usually the result of saving a document from a word processor in PDF format using Adobe Acrobat PDF Writer. PDF files can also be created by scanning a paper document in PDF format. The text file can be transmitted to the CM/ECF application faster than the image file because it is much smaller in size. While the difference in speed is usually not noticeable in a one or two-page document, it can be significant when a document reaches about 25 pages in length.

Attorneys may submit attachments that are extremely large (more than 50 pages) that will take a long time to download, even in text format.

We suggest breaking lengthy documents (more than 25 pages) into logical pieces that can be uploaded and downloaded separately, and to label each piece with a descriptive title.

This will not only reduce the filing time but will also allow users who wish to access the document(s) to download only those portions needed, thus saving time.

13. When a user files a pleading with the court does the system automatically serve the other parties or does the user have to do something extra to serve the others? And, do the other parties just get notification of a filing or do they get the actual document?

ANSWER: When a document is filed in CM/ECF, a Notice of Electronic Filing (NEF) is automatically generated and e-mailed to **only those who have registered for ECF and/or requested NEF** in the case, as well as to any registered user who has requested to receive NEF in the case. The NEF includes the text of the docket entry, the unique electronic document stamp, a list of the case participants receiving email notification of the filing, and a hyperlink to the document(s) filed. All recipients will receive one free look at the document.

The court will have a local rule or administrative procedure authorizing service through CM/ECF, the automatic sending of the NEF with the hyperlink will constitute service on all parties registered for electronic-filing with the court. The filer (including the court filer) is responsible for serving the parties who are not registered for electronic-filing in a manner authorized by the federal rules of procedure. **Contested matters, Lift Stay Motions for example, must be served by first class mail, and this service must be clearly reflected in the Certificate of Service.**

14. How does the court handle the following non-electronic filings: (1) documents that are not, or cannot, be rendered into PDF format; (2) pro se litigants who do not have access to a computer; and (3) counsel that do not have computers?

ANSWERS:

- (1) Documents that can be scanned can also be stored in PDF format. Documents that cannot be scanned (due to oversized pages, poor quality or excessive length) can be maintained in a paper file. **The corresponding docket entry for such documents would contain a note stating that the document is in hard copy format for viewing in the Clerk's Office (Bulky Pleading).**
- (2) **Pro se litigants may not file pleadings electronically.**
- (3) This Court has been a mandatory e-filing court since 6/1/05. If an attorney does not have the hardware or software to e-file, they may use the equipment in the U. S. District Court's Lawyer lounge on the 4th floor of the courthouse.

15. Describe the court's claims process. How are large attachments to claims managed? How are claims activities monitored? Are there any special accommodations for cases with thousands of claims?

ANSWER: Attorneys and other CM/ECF participants can prepare the proof of claim as a word processing document or in a bankruptcy preparation software program, convert it to a PDF document and submit it to the court. If a claim has a large attachment, the attachment can be broken down into several smaller attachments or it may be filed in paper, over the counter. It is best to call the court's CM/ECF Help Desk for specific instructions.

The U. S. Bankruptcy Court for the District of Columbia will be allowing certain creditors to register for limited user access to CM/ECF for the purpose of filing claims and related pleadings.

SYSTEM CAPABILITIES - FILING

1. How will CM/ECF handle the filing of motions or other actions in multiple cases (e.g. trustees filing objections to claim in several cases)?

ANSWER: Bankruptcy CM/ECF has a “batch filing” feature. The user will see these events listed in a pull-down menu. After selecting the event, the user is presented with a box in which multiple case numbers can be entered (or a list of case numbers can be “pasted in” from a previously created document). The application then prompts the user for the appropriate PDF document to be attached to the event for each case in the list. CM/ECF also has a “**multi-case filing**” feature that allows Chapter 7 trustees to mass-docket Reports of No Distribution and Letters to the Clerk Regarding Possible Dividends.

2. Does CM/ECF check for duplicate filings when a user opens a case, or when a party name is entered will the system alert the user to other cases in which the filer appears?

ANSWER: The current CM/ECF software does not automatically check for duplicate filings. However, when adding a participant to a case, a pick list is presented with the names of parties that are already in the database. This provides a limited comparison. In bankruptcy cases, the ability to search by social security number in the Query function can assist courts in identifying duplicate filings.

3. Can CM/ECF accommodate recorded audio files (e.g. WAV files) as part of the case record?

ANSWER: At this point, CM/ECF will accommodate only PDF text files or PDF image files.

4. How does the system handle the filing of a multi-part motion?

ANSWER: The types of motions that an attorney or trustee can file are displayed in a drop down window. **The user can select one or a list of motions, using the control key and the mouse.** The filer should select as many different motions from the list as required to accurately reflect the relief actions sought. CM/ECF then processes each of the motion parts, one at a time, leading the filer through the steps necessary to complete each part. Orders ruling on multi-part pleadings can dispose of each relief separately.

5. When a user files a pleading with the court does the system automatically serve the other parties or does the user have to do something extra to serve the others? Do the other parties just get notification of a filing or do they get the actual document?

ANSWER: When a document is filed in CM/ECF, a Notice of Electronic Filing (NEF) is automatically generated and e-mailed to **only those who have registered for ECF and/or requested NEF** in the case, as well as to any registered user who has requested to receive NEF in the case. The NEF includes the text of the docket entry, the unique electronic document stamp, a list of the case participants receiving email notification of the filing, and a hyperlink to the document(s) filed. All recipients will receive one free look at the document.

The court will have a local rule or administrative procedure authorizing service through CM/ECF, the automatic sending of the NEF with the hyperlink will constitute service on all parties registered for electronic-filing with the court. The filer (including the court filer) is responsible for serving the parties who are not registered for electronic-filing in a manner authorized by the federal rules of procedure. **Contested matters, Lift Stay Motions for example, must be served by first class mail, and this service must be clearly reflected in the Certificate of Service.**

6. Will the system support scanned documents in color?

ANSWER: Yes, the system does support scanned and all other documents in color. However, the size of scanned and color documents is considerably larger than that of documents generated through word processing. Larger documents will take longer to load into CM/ECF and longer to retrieve for viewing purposes and will impact the system performance. Currently, any file larger than 1.5 MB will not pass through the court's CM/ECF system.

PORTABLE DOCUMENT FORMAT (PDF) Files

1. What is Adobe Acrobat?

ANSWER: Adobe Acrobat is a commercial software package that enables you to save your document in PDF. Different versions of Adobe Acrobat are available from retailers for approximately \$220 - \$299. The discount that Adobe previously offered to attorneys has been discontinued. However, there may be volume discounts that attorneys can receive if ordering multiple copies for their firm. Contact Adobe for more information.

2. How do I create a PDF file and how do I ensure that the printed copy of the document matches the public/docketed version?

ANSWER: Follow these steps:

- a. When creating a new document to be filed, before writing the document, first change the print driver from the default printer (e.g. HP5Si) to “Acrobat PDF Writer” by selecting File/Print and then selecting “Acrobat PDF Writer” as the current printer.
- b. Write your document and when finished, select File/Print. Ensure that “Acrobat PDF WRITER” is selected as the printer and then name your file (and place it in the proper directory) and click OK. The file will be created with a .pdf extension. In doing this, you are not actually printing your document to a printer; instead you are saving it to a file. To print a physical copy of the document, open the newly created PDF file and print to your local printer. Always print from this PDF file, rather than the word-processed file that created it to ensure that the paper and electronic versions are consistent with each other.

Alternatively, you can set the printer to “Acrobat PDF WRITER” after the document has been created to save it to a PDF file. However, there is a possibility of introducing a formatting discrepancy, if for instance, a page break is not the same in the PDF file as it was in the word-processed file.

Adobe Acrobat 5.0 was tested for its ability to maintain font integrity through conversions to PDF of documents created in WordPerfect version 8 and Microsoft Word 97. All of the 32 fonts tested were done with a 12-point size. The results show that while characteristics of some fonts were lost in the conversion (e.g., appeared smaller), every font conversion produced legible results and none produced a problem with either character spacing or character overlap (superimposition). The results of these tests are below.

Fonts that maintained integrity in the conversion from WordPerfect 8 to PDF:

- Albertus Extra Bold Courier New
- Albertus Medium Bold Haettenschweiler
- Antique Olive Impact
- Arial Letter Gothic
- Arial Black Letter Gothic MT
- Arial Narrow Book Antiqua Line Printer
- Bookman Old Style Marigold
- Century Gothic Modern
- Century Schoolbook Symbol (2 styles)
- CG Omega Tahoma
- CG Times New Roman
- Clarendon Condensed Bold Times New Roman (bold)
- Comic Sans MS Universe
- Coronet Universe Condensed Regular
- Courier Verdana

Fonts that were altered in the conversion from WordPerfect 8 to PDF:

- Coronet - appears much larger and in a different font, an Adobe default font
- Line Printer - appears much larger and in a different font, an Adobe default font
- Marigold - appears much larger and in a different font, an Adobe default font

Fonts that maintained integrity in the conversion from Word 97 to PDF:

- Arial Garamond
- Arial Black Haettenschweiler
- Arial Narrow Book Antiqua Impact
- Bookman Old Style Letter Gothic
- Century Gothic Symbol (2 styles)
- Century Schoolbook Tahoma
- CG Times New Roman
- Comic Sans MS Universe
- Courier New Verdana
- Courier Universe Condensed Regular

Fonts that were altered in the conversion from Word to PDF:

- Albertus Extra Bold - bold characteristic lost, appears in a different font, an Adobe default font
- Albertus Medium Bold - appears in a different font, an Adobe default font
- Antique Olive - appears much smaller and in a different font, an Adobe default font
- CG Omega - appears much smaller and in a different font, an Adobe default font
- Clarendon Condensed Bold - appears much smaller and in a different font
- Coronet - appears much larger and in a different font, an Adobe default font
- Line Printer - appears much larger and in a different font, an Adobe default font
- Marigold - appears much larger and in a different font, an Adobe default font
- Modern - appears in a different font, an Adobe default font
- Times New Roman (bold) - appears in a different font, an Adobe default font

3. Can you search a PDF file that was created by scanning original hard copy documents?

ANSWER: It is possible to do full-text search of PDF text files but not PDF scanned files. However, an option with scanning is Optical Character Recognition (OCR), where the scanning software attempts to convert each letter to text. (The Adobe Capture package allows conversion of scanned pages to PDF files that are text searchable, using an OCR process.) The drawback is that the OCR process is generally about 95% - 97% accurate and each mistake that is made in the conversion must be fixed by the person who scanned the document. This can take a fair amount of time, especially with a large document.

The full-text search capability in CM/ECF, a program called Webinator, has been used by some of the courts, but not extensively to date. Because this program is installed on the court's local server, it is available only to court users.

4. Are there benchmarks on the relationship between the number of pages and the PDF file size?

ANSWER: PDF **text** files average 2.5 KB per page, with a range of 2-6 KB. PDF **image** files average 65 KB per page, with a range of 30-150 KB. Appropriate calculations can be based on this per page average.

5. Are there benchmarks on the relationship between the WordPerfect or Word file size and the PDF file size?

ANSWER: A PDF text file (using a standard font) is approximately 5-10% smaller than the corresponding WordPerfect or Word file. (This assumes that the PDF file was created with a standard font. Non-standard fonts will significantly increase the size.)

6. What are some of the imaging procedures used in the courts? What are the size limitations of scanning?

ANSWER: There is a PDF section in our User's Manual that addresses creation of PDF files. A suggested guideline for scanning is to break up large documents, limit the image to no more than 1.5 MB, and save the document as a PDF file. Attorneys should be trained to set up their scanner software to not use color and save the document as a PDF file.

7. Are there benchmarks on the relationship between the dpi setting, the size of the file, and the length of time that it takes to scan?

ANSWER: A 100 page document that is scanned on a Ricoh IS-430 scanner (rated at 30-45 pages per minute) at a 300 dpi setting produces a file that is 6.97 MB; it takes three minutes and 85 seconds to scan. The same document that is scanned at a 150 dpi setting produces a file that is 3.67 MB and takes two minutes and 25 seconds to scan. Keep in mind that the U. S. Bankruptcy Court will not accept a file larger than 1.5 MB, **it must be broken down.**

8. How does CM/ECF verify the integrity of the PDF documents?

ANSWER: CM/ECF uses two programs to verify the integrity of PDF documents - PDF check and ChkDocs. ChkDocs is run nightly on the CM/ECF live database and checks for documents that have “signatures” that have been altered. It then writes to a log file on the inside server and sends an e-mail to the designated administrator.

PDF check automatically analyzes the structure of each PDF document that is uploaded into CM/ECF to ensure that it does not contain any action, such as viruses, within it that could be dangerous to the host machine or any PC accessing the document. It also collects information as whether the document is, in fact, a pdf document, if it is encrypted, and the number of pages. The Utility menu on the CM/ECF application contains a menu option to “Verify a Document” should a user wish to run the PDF CHECK program.

9. I received an error message stating, “Document is too large to browse and attach”.

ANSWER:

- Open your file in Adobe Acrobat, and along the left margin of the Adobe application there should be four tabs: Bookmarks, Thumbnails, Comments, and Signatures.
- Left click on Thumbnails, and along the left margin there should see “thumbnail” images of each page of the document.
- Hold down the control key on the keyboard and left click on a few of the page images in the left margin. When page images are highlighted, release the control key. Keeping the mouse in the left margin with the images highlighted, right click on the mouse. A pop-up window should appear.
- Left click on the option “Extract Pages”. Another pop-up window will appear verifying which pages are to be extracted.
- Verify and/or change the page numbers.
 - Place a check mark in the box to the left of “Delete Pages After Extracting”. Click “OK”. Adobe will then open a window containing the extracted pages.
- Save this under a new name. The size of the original document has now been reduced

- When uploading the document into CM/ECF, upload each of the files containing the full document. (August 2004)